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Message Text

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ORIGIN EB-08

INFO OCT-01 EA-10 ISO-00 SP-02 ICA-11 AID-05 NSC-05
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FM SECSTATE WASHDC
TO AMEMBASSY KUALA LUMPUR PRIORITY

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E.O. 11652: N/A

TAGS: ETRD

SUBJECT: MALAYSIAN PRODUCT REQUESTS FOR ADDITION TO GSP

REFS: KUALA LUMPUR 6368, B) STATE 76422,
C) 77 STATE 210042, D) 77 STATE 222387

1. DEPARTMENT HAS RECEIVED PETITIONS FROM GOVERNMENT OF MALAYSIA REFERRED TO IN REFTEL A.

2. UNDER PROCEDURES OUTLINED IN REFTEL B, DEPARTMENT DOES PRELIMINARY REVIEW TO DETERMINE IF GOVERNMENT SUBMITTING PETITION HAS COMPLIED WITH REGULATIONS AND IF NOT, WHAT FURTHER INFORMATION MIGHT BE REQUIRED TO PERMIT TRADE POLICY STAFF COMMITTEE TO ACCEPT PETITION FOR REVIEW.

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3. AFTER REVIEWING MALAYSIAN PETITION, IT IS CLEAR THAT THE TRADE POLICY STAFF COMMITTEE WILL BE UNABLE TO ACCEPT GOVERNMENT OF MALAYSIA PETITION FOR REVIEW. PETITION IS NOTHING MORE THAN "WISH LIST" OF PRODUCTS MALAYSIA WOULD DESIRE TO SEE ON GSP WITH NO RATIONALE OR DATA REQUIRED BY REGULATIONS PUBLISHED IN FEDERAL REGISTER OF SEPTEMBER 9, 1977.

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4. FURTHERMORE, WE ARE SOMEWHAT CONFUSED AT LIST GOVERNMENT HAS SUBMITTED. WE ASSUME THE LIST CONSISTS OF 142 TSUS NUMBERS, BUT ARE UNSURE WHETHER, FOR EXAMPLE, FISH, 111.22 - 111.44 IS TWO TSUS NUMBERS OR ALL TSUS NUMBERS FALLING IN-BETWEEN.

5. ASSUMING THE "WISH LIST" REQUEST IS FOR 142 TSUS ITEMS, IT SHOULD BE NOTED THAT LIST CAN BE BROKEN DOWN INTO ESSENTIALLY SIX GROUPS. GROUP ONE IS ITEMS ALREADY ENTERING US DUTY-FREE ON MFN BASIS (32 OF ITEMS REQUESTED FALL INTO THIS CATEGORY). GROUP TWO IS ITEMS ALREADY ON GSP (5 ITEMS). GROUP THREE IS TSUS NUMBERS WHICH APPLY SPECIFICALLY AND SOLELY TO CANADIAN IMPORTS (18 ITEMS). GROUP 4 IS ITEMS SPECIFICALLY EXCLUDED FROM GSP UNDER 1974 TRADE ACT AND CONSIST PRIMARILY OF LARGE GROUP OF TEXTILE, FABRIC, APPAREL, AND PETROLEUM ITEMS (AND CONSISTS OF SOME 50 ITEMS). GROUP 5 CONSISTS OF ITEMS INELIGIBLE FOR OTHER REASONS - OMA ON FOOTWEAR, NO TSUS ITEMS UNDER NUMBER LISTED AND A FEW ITEMS ALREADY REJECTED DURING 1977 REVIEW. GROUP SIX CONSISTS OF 30-40 ITEMS THAT COULD BE CONSIDERED FOR ADDITION TO GSP LIST, BUT EVEN HERE MALAYSIA HAS SELECTED RELATIVELY IMPORT SENSITIVE ITEMS (E.G. CERAMIC PRODUCTS, STAINLESS STEEL FLATWARE, COLOR LIMITED OFFICIAL USE

TV TUBES, PINEAPPLES, AND SOYBEAN OIL). REALISTICALLY SPEAKING, THESE ITEMS WOULD BE VERY DIFFICULT TO ADD TO GSP.

6. WE REGRET THAT WE CANNOT BE MORE RESPONSIVE TO MALAYSIAN REQUEST, BUT INTERAGENCY TRADE POLICY STAFF COMMITTEE IS UNABLE TO ACCEPT PETITIONS NOT FILED IN CONJUNCTION WITH FEDERAL REGISTER OF SEPTEMBER 9, 1977. WE REALIZE, MOREOVER, THAT JULY 18 DEADLINE IS FAST APPROACHING. NEVERTHELESS, REQUEST EMBASSY TO CONTACT MALAYSIA MFA AND OFFER ALL POSSIBLE ASSISTANCE IN PREPARING SHORTER PETITION LIST FILED IN LINE WITH SEPTEMBER 9 REQUIREMENTS WHICH ARE OUTLINED IN REFTEL C AND D.

7. DEPARTMENT INVITED CHEAH AND REDZUAN FROM MALAYSIAN EMBASSY TO COME IN AND WE WENT OVER LIST IN GREAT DETAIL WITH THEM. CHEAH HAD COPY OF THE LIST AND TOLD US HE ASSUMED GOVERNMENT WAS PETITIONING FOR ALL ITEMS FALLING BETWEEN LISTED TSUS NUMBERS. WE TOLD MALAYSIANS OF MISTAKES MADE IN COMPILING LIST, OF DIFFICULTY IN PETITIONING FOR SEVERAL

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HUNDRED ITEMS TO BE ADDED TO GSP AND EXPLAINED AND

GAVE COPY OF SEPTEMBER 9 REGULATIONS. WE ALSO ADVISED THAT GOVERNMENT SHOULD CAREFULLY SELECT ITEMS OF MAJOR TRADING INTEREST AND BENEFIT TO MALAYSIA (RATHER THAN, FOR EXAMPLE, COLOR TV TUBES WHICH WOULD BE OF MAJOR ADVANTAGE TO TAIWAN AND KOREA OR CORN OIL AND SOYBEAN OIL WHICH WOULD BE OF MAJOR ADVANTAGE TO ARGENTINA AND BRAZIL AND MIGHT WELL ADVERSELY AFFECT MALAYSIAN EXPORTS OF PALM OIL). MALAYSIAN EMBASSY SAID THEY WOULD CABLE LIST TO MFA IMMEDIATELY, BUT QUESTIONED WHETHER GOVERNMENT COULD RE-PETITION IN TIME TO MEET JULY 18 DEADLINE. VANCE

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